

### REMARKS/ARGUMENTS

Claims 1-9 are pending in the application, as claims 10-14 were previously canceled. In the Office Action, claims 1 and 2 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0242288 to Balle, et al. (Balle). In addition, claims 3-6 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Balle in view of U.S. Patent No. 6,700,086 to Serizawa, et al. (Serizawa). Finally, claims 7 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Balle and Serizawa in view of U.S. Patent No. 7,003,279 to Nickum (Nickum).

Concerning the Balle reference, Applicants direct the Examiner's attention to the attached Declaration of Prior Invention in the United States under 37 C.F.R. §1.131 to Overcome Cited Patent or Publication. Applicants have submitted an invention disclosure form (and drawing attachment) that describes the claimed subject matter, and the inventors have averred that this invention was conceived at least by February 18, 2003, which is before the priority date of Balle. Applicants respectfully submit that the rejection of claims 1 and 2 under 35 U.S.C. 102(e) in view of Balle is moot in view of the submitted declaration.

In view of the above, Applicants submit that the above claims are now patentable over the prior art. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of

narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection. The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

Date: March 26, 2007

By: /Larry G. Brown/  
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